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BANANA LEAF INC.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHAO Q LUO & ZHI-YANG ZHOU

Case No.: C04-05343 RS

Plaintiffs,

vs.

BANANA LEAF INC. AND DOES 1 - 10  
Defendants

**STIPULATION TO DISMISS WITH  
PREJUDICE WITH RESPECT TO ZHI  
YANG ZHOU & ~~PROPOSED~~ ORDER**

Pursuant to Fed. R. Civ. Pro. 41(a)(2), Plaintiff ZHI-YANG ZHOU, and Defendant BANANA LEAF, INC., through their respective counsel, stipulate as follows:

1. Plaintiff ZHI-YANG ZHOU and Defendant BANANA LEAF, INC. have fully resolved their disputes and entered into a Confidential Settlement Agreement and Releases of Claims on October 20, 2005 (the "Settlement Agreement").

2. As such, the parties respectfully request that the Court dismiss the claims alleged by ZHI-YANG ZHOU in this case in their entirety with prejudice.

3. Upon the dismissal of claims of ZHI-YANG ZHOU, parties submit to the Court that all claims alleged in this action have been dismissed with prejudice, and that the entire case shall be closed.

4. Parties further agree that this Court shall retain its jurisdiction over this case for the purpose of enforcing the Settlement Agreement.

Dated: October 20, 2005

By: /s/ ADAM WANG  
Adam Wang  
Attorney for Plaintiff  
ZHI YANG ZHOU

Dated: October 21, 2005

SEYFARTH SHAW, LLP  
/s/ LAURA J. MAECHTLEN  
Laura J. Maechtlen  
Attorneys for Defendant  
BANANA LEAF INC.

~~PROPOSED~~ ORDER

Pursuant to parties' stipulation, **IT IS SO ORDERED.**

Dated: October 24, 2005

By: /s/ Richard Seeborg  
RICHARD SEEBORG  
United States Magistrate Judge